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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Date: November 3, 2009

Memorandum

MIAMI-DADE COUNTY

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

Agenda Item No. 8(A)(1)(M)

From: George M. Burgess
County Manager

Resolution No. R-1241-09

Subject: Ratification of Acceptance and Execution of Federal Aviation Administration (FAA) Grant Agreement in the amount of $8,936,690 for the rehabilitation of Runway 8R/26L – Construction Phases 2 & 3 and rehabilitation of Taxiway N Pavement and Lighting at Miami International Airport under Project **AIP No. 3-12-0049-061-2009**

RECOMMENDATION

It is recommended that the Board approve the attached resolution ratifying the action of the Mayor's designee, pursuant to provisions of the Miami-Dade County's Expedite Ordinance No. 95-64, codified as Section 2-285(6) of the Code of Miami-Dade County, in accepting and executing Grant Agreement AIP Number 3-12-0049-061-2009 between Miami-Dade County and the Federal Aviation Administration (FAA) for the rehabilitation of Runway 8 Right - 26 Left (8R-26L) Construction Phases 2 & 3, and rehabilitation of Taxiway N Pavement and Lighting at Miami International Airport (MIA), (collectively the Rehabilitation Project), in the amount of $8,936,690.

SCOPE

The project associated with this grant is located within District Six; however, the impact of this item is County-wide in nature as MIA is a regional asset.

FISCAL IMPACT

The total 8R-26L runway rehabilitation project is estimated to cost $22,748,500 and is divided into three phases. The total eligible costs of Phases 2 and 3, for which this grant is to be applied, is $11,915,587. This FAA Grant totaling $8,936,690 funds 75% of the Phases 2 and 3 eligible costs. The balance of the estimated costs for Phases 2 and 3 in the amount of $2,978,897 will be funded from MDAD's Capital Improvement Program and Florida Department of Transportation (FDOT) grant funds.

The Florida Department of Transportation (FDOT) in the MPO adopted 5-year Work Program has programmed $3,416,000.00 in Fiscal Year 2010-2011 for all phases of this project. The FDOT funds will be used in their entirety to match 50% of the non-federal share with MDAD in all three phases of the project.

TRACK RECORD/PROJECT MONITOR

The project will be managed by MDAD Chief of Civil Engineering, Ernesto Beltre, P.E. The grant will be managed by MDAD Chief of Aviation Grants, Norma Mata.

BACKGROUND

By Resolution No. R-477-09, the Board approved FAA Grant No. 3-12-0049-059-2009 in the amount of $8,124,685.00, to be applied to the estimated costs of Phase 1 of the 3-phase Rehabilitation Project involving the rehabilitation of Runway 8R-26L at MIA.

On July 15, 2009, MDAD submitted its application for federal assistance for Phases 2 and 3 of the Rehabilitation Project. At this time, the FAA has programmed $8,936,690.00 in entitlement funds for Phases 2 and 3. Phase 1 involves the survey, layout, and removal of existing runway lighting. Phase 2 involves the removal of one inch of existing asphalt pavement and overlaying the same with three inches of asphalt pavement; rehabilitation of the taxiway connectors; the curing, grooving, and marking of the surface; and residual work, including the adjustment of lighting. Phase 3 involves the rehabilitation of Taxiway pavement and lighting and will include removal and replacement of all centerline cables, ducts and light for the entire length of Taxiway N and the connectors between Taxiway M, installation of new elevated taxiway edge lights, and restoration of the associated asphalt pavement.

This project corrects surface defects resulting from weathering, oxidation and longitudinal cracking that are normal occurrences with new runways, and will provide increased reliability and safety to a vitally-needed runway at MIA. The project is critical to MIA because of the need to rehabilitate Runway 8R-26L and because Taxiway N is one of the busiest taxiways on the airfield feeding Runway 8R-26L. Additionally, the project will help to avoid recurring pavement maintenance and thus reduce operational and financial impacts to the Aviation Department's Airside Operations Division.

It is therefore recommended that the Board ratify the actions of the Mayor's designee in accepting and executing the FAA Grant Agreement 3-12-0049-061-2009 for Phases 2 and 3 of MIA's Runway 8R-26L and the Taxiway N pavement and lighting work.

Assistant County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: November 3, 2009

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 8(A)(1)(M)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(A)(1)(M)
11-3-09

RESOLUTION NO. **R-1241-09**

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; RATIFYING EXECUTION BY THE MAYOR'S DESIGNEE OF THE FEDERAL AVIATION ADMINISTRATION GRANT AGREEMENT AIP NO. 3-12-0049-061-2009 IN THE AMOUNT OF $8,936,690 FOR PHASES 2 AND 3 OF THE RUNWAY 8 RIGHT/26 LEFT AND TAXIWAY N PAVEMENT AND LIGHTING REHABILITATION PROJECT

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum and document, copies of which are incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board ratifies, confirms, and approves the acceptance and execution by the Mayor's designee of the Federal Aviation Administration Grant Agreement AIP No. 3-12-0049-061-2009 in the amount of $8,936,690 for Phases 2 and 3 of the Runway 8 Right/26 Left and Taxiway N Pavement and Lighting Rehabilitation Project at Miami International Airport.

The foregoing resolution was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Dorrin D. Rolle** and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman **aye**
Jose "Pepe" Diaz, Vice-Chairman **aye**

Bruno A. Barreiro	**absent**	Audrey M. Edmonson	**aye**
Carlos A. Gimenez	**aye**	Sally A. Heyman	**aye**
Barbara J. Jordan	**absent**	Joe A. Martinez	**absent**
Dorrin D. Rolle	**aye**	Natacha Seijas	**aye**
Katy Sorenson	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of November, 2009. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Thomas P. Abbott

GRANT AGREEMENT

U. S. Department
of Transportation
Federal Aviation
Administration

Date of Offer: **September 1, 2009**

Project Number: **3-12-0049-061-2009**
Recipient: **Miami-Dade County Board of County Commissioners** (Herein called Sponsor)
Airport: Miami International Airport

OFFER

THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay, as the United States' share, seventy-five percent (75%) of the allowable costs incurred in accomplishing the project consisting of the following:

"Rehabilitate Runway 08R/26L Construction Phases 2 & 3, Rehabilitate Taxiway N Pavement and Lighting "

as more particularly described in the Project Applications dated July 15, 2009.

The maximum obligation of the United States payable under this Offer shall be $8,936,690 for airport development.

This offer is made in accordance with and for the purpose of carrying out the applicable provisions of the Federal Aviation Act of 1958, as amended, codified at Title 49 of the United States Code. Acceptance and execution of this offer shall comprise a Grant Agreement, as provided by Title 49 of the United States Code, constituting the contractual obligations and rights of the United States and the Sponsor.

UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION

Acting Manager, Airports District Office

ACCEPTANCE

The Sponsor agrees to accomplish the project in compliance with the terms and conditions contained herein and in the document "Terms and Conditions of Accepting Airport Improvement Program Grants" dated March 29, 2005.

Executed this 18 day of Sept, 2009

(Seal)

Attest: Deputy Clerk
Title

Miami-Dade Board of County Commissioners
Name of Sponsor

Signature of Sponsor's Designated Official Representative

Aviation Director
Title

CERTIFICATE OF SPONSOR'S ATTORNEY

I, THOMAS P. ABBOTT, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of State of Florida. Further, I have examined the foregoing Grant Agreement, and the actions taken by said Sponsor relating thereto, and find that the acceptance thereof by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the applicable provisions of the Federal Aviation Act of 1958, as amended, codified at Title 49 of the United States Code. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Signature of Sponsor's Attorney

9/18/09
Date